

REMARKS

Reconsideration of the application is respectfully requested in view of the following remarks.

Decio discloses a margarine made from olive oil and butter. The spread is made from unrefined olive oil and has characteristic olive oil flavor.

Chen teaches deodorizing edible oil. Lai Ganguli teaches that olive oil is known to contain polyphenols.

The Office is of the opinion that the polyphenols will not be removed by the deodorization method as they appear to be not volatile as they may be prepared by extraction into water and then by evaporation of the water phase (Lai Ganguli), and thus it would be obvious to use the oil of Chen in Decio and arrive at the present invention.

The present specification at page 11 provides information on the polyphenol and squalene contents at various sparging temperatures. The Office points to no teaching in any of the cited references indicating that particular refining temperatures can be used to obtain an olive oil with no perceivable odor but retaining valuable polyphenols or that such oils should be used in spreads. It appears that the office is basing its rejection on hindsight using the present application.

In view of the foregoing, it is respectfully requested that the application, as amended, be allowed.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'G. McGowan, Jr.', written over a horizontal line.

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